



**CONGRESSIONAL
TESTIMONY**

STATEMENT FOR THE RECORD

AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES, AFL-CIO

**PROVIDED TO THE
HOUSE COMMITTEE ON OVERSIGHT AND REFORM**

**HEARING ON
Coronavirus Preparedness and Response
March 11, 2020**

Chairwoman Maloney, Ranking Member Jordan and Members of the Committee:

On behalf of the American Federation of Government Employees, AFL-CIO (AFGE), which represents more than 700,000 federal and District of Columbia employees who serve the American people in 70 different agencies across the country and around the world, I thank you for holding this important hearing on the subject of the government's preparedness and response to the Coronavirus. AFGE has serious concerns regarding the health and safety of the federal workforce and with the administration's efforts to prevent, detect and treat the Coronavirus, or COVID-19. During this health care crisis, it is essential to ensure the health and safety of the federal workforce.

AFGE represents many health care providers and support personnel at the Department of Veterans Affairs (VA), the Department of Defense (DoD) and the Bureau of Prisons (BoP), frontline emergency responders including employees at the Federal Emergency Management Agency (FEMA) and employees whose jobs require regular contact with the public, such as Transportation Security Officers at TSA and those who work in Social Security Administration (SSA) field offices, and VA Regional Offices. Detecting, treating and preventing the spread of COVID-19, and maintaining the safety of the workforce will require constant communication among Congress, the administration, as well as federal employees and their union representatives. We appreciate your holding this important hearing and we look forward to working with you to assist in the continuity of operations of federal agencies, and in the important task of protecting and providing care for the American public.

Personal Protective Equipment (PPE)

We are grateful that Congress passed H.R. 6074 the "Coronavirus Preparedness and Response Supplemental Appropriations Act of 2020," which provides \$8.3 billion in emergency supplemental funding to address the Coronavirus pandemic. Health care providers and emergency responders are among those federal employees who have been or are likely to be called upon to provide services to populations infected with COVID-19 by providing healthcare and other public safety services.

We urge you to recognize that workers who provide patient care and those who are emergency responders must be accorded the highest priority for disease prevention measures including but not limited to the provision of the most effective personal protective equipment (PPE). These measures must also include making sure that agencies have enough equipment and materials, and providing workers with the highest quality of PPE.

There will likely be a national shortage of N95 charcoal and paper respirators. N95 respirators are only safe to wear and use once within a 24-hour period as they are at risk of developing mold after just one day of wear. We have also received reports that agencies still do not have an adequate number of white respirator germ free suits for coronavirus response. AFGE finds the recent CDC guidance allowing the use of surgical masks instead of respirators extremely concerning. As we learn more about the ways COVID-19 spreads, the CDC and federal agencies must make certain that all federal employees potentially exposed to the virus have the necessary PPE. Congress must ensure that the recent funding provided by H.R. 6074 reaches the frontline responders and federal employees required to interact with the public as they perform their duties.

Telework

The Office of Personnel Management (OPM) has provided only vague instructions in three successive efforts to communicate the administration's plans for the federal workforce. AFGE is extremely concerned that safety protocols have not been sufficiently communicated to the front-line workforce. Agencies are not communicating with their workforces with enough information or to a degree that will allow them to protect themselves or the public in a timely manner to contain the spread of this virus. In most cases, employees have only been given a link to the Centers for Disease Control website, told to monitor the news and stay home if they do not feel well. Agencies must establish a system of regular communication with workers and their union representatives that will allow us to provide feedback and update agency leadership on the needs of the work force as the COVID-19 response continues to develop.

AFGE represents employees at Travis Air Force Base in California and Joint Base San Antonio-Lackland in Texas, where Americans who have been re-patriated after overseas exposure have

been quarantined. The quarantines at Travis and Lackland were initiated without adequate notice or training for the Defense civilian employees working at these installations. AFGE strongly urges Congress to ensure that agencies receive detailed comprehensive guidance that outlines safety and prevention protocols for federal employees interfacing with the public and providing care and services to those who have been exposed to or diagnosed with COVID-19.

Further, AFGE urges the Committee to insist that all federal government agencies formally give permission to employees who can perform their duties via telework to begin doing so immediately. We support H.R. 6150, the “Paid Sick Days for Public Health Emergencies and Personal Family Care Act,” introduced by Representative Rosa DeLauro (D-CT), which would direct employers, upon the declaration of a public health emergency, to provide enough additional sick leave (beyond the minimum of 12 days per year required by law) to allow an employee to receive a total of 14 continuous paid days off from work.

While we understand that remote workstations or telework are not options for all federal employees, not all agencies have considered restoring or expanding telework. In some agencies, only those who have been quarantined are eligible to use telework. AFGE urges the Committee to examine ways to grant permission for telework for all federal employees who can perform their duties outside of the office. For those who are not currently telework-ready, but whose jobs can be performed in that capacity, this must include provision of necessary equipment and remote work training to maximize employees’ ability to continue to perform their duties. Many of these employees provide crucial support functions to the frontline workforce and are essential to ensuring the delivery of public services and deploying emergency operations.

The White House Coronavirus Task Force (Task Force) directed OPM to include telework in its guidance to agencies, requiring them to incorporate telework in their continuity of operations plans. We urge the Committee to encourage the Task Force to provide regular communications to agency leadership and the workers, including their union representatives regarding its progress toward achieving this directive.

Compensation

For the workers who are first responders, law enforcement officers, TSOs, or hold positions with substantial work related contact with the general public and telework is not practicable, we ask the Committee to strongly encourage agencies to implement policies like the long-established precedent at the VA with Agent Orange, that if employees are exposed, there is a presumption that the virus was contracted at work. As such, a frontline worker will have access through the Federal Employees Compensation Act (FECA) to full coverage of related medical treatment and for wage loss or disability related to that condition or associated complications from the illness. All federal employees who are in positions where they may be exposed to COVID-19 should have rapid access to screening at no cost.

We are concerned that workers who provide direct patient care and emergency services to individuals who have contracted COVID-19 lack clear, specific guidance and effective preventive equipment and gear to protect themselves from contracting the virus. In cases where workers are exposed to unusual hazards, current law provides for a pay differential, or hazardous duty pay. Because these workers are in immediate danger of exposure, and current protocols have no guarantees of protection, employees required to work and interface with individuals who have been quarantined or diagnosed with COVID-19 should be provided hazardous duty pay.

AFGE recognizes that COVID-19 is spreading rapidly and that requirements of agencies, and especially of the frontline workforce may change. We thank the Committee for its ongoing and diligent oversight as you work to protect the federal workforce and the American public.

Thank you for your consideration.